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**UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA
LOS ANGELES DIVISION**

In re:

DENNIS LEE MONTGOMERY and
BRENDA KATHLEEN MONTGOMERY,

Debtors.

MICHAEL JOSEPH FLYNN,

Plaintiff,

v.

DENNIS LEE MONTGOMERY, et al.,

Defendants.

) Case No.: 2:10-bk-18510 BB

) Chapter 7

) Adv. No. 2:10-AP-01305 BB

) **DECLARATION OF EDRA BLIXSETH
IN SUPPORT OF OPPOSITION TO
MOTION FOR SUMMARY JUDGMENT
OR IN THE ALTERNATIVE FOR
SUMMARY ADJUDICATION**

) Date: December 6, 2011

) Time: 2:00 p.m.

) Courtroom 1475

) 255 E. Temple Street

) Los Angeles, CA 90012

DION-KINDEM & CROCKETT
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DECLARATION OF EDRA BLIXSETH

I, Edra Blixseth, hereby declare as follows:

1. I am over 18 years of age. I have personal knowledge of the facts set forth below and, if called to testify, I could and would testify competently thereto.

2. I was majority stockholder and CEO of Opspring, LLC and Blxware, LLC during the time Dennis Montgomery was an employee of these companies. Dennis Montgomery was an employee from 2006 to 2009.

3. The software technology developed by Mr. Montgomery for both Opspring and Blxware was offered to the U.S. Government for testing and further development. The company became a contractor for this technology and it was tested within that contract. I never received any communication from the government stating that the technology did not work as represented. The members in the government department with which we were working, including the people I worked with directly, never expressed any concerns of fraud or that the technology was a sham.

4. To the best of my knowledge, the only person who has said this technology doesn't work is Mr. Flynn, those who were quoting Mr. Flynn or those solicited for such statement by Mr. Flynn. The statements and actions of Mr. Flynn seemed to start simultaneously with both the termination of his son's employment with the company and Mr. Flynn's termination of his services as our lawyer. Just prior to this, Mr. Flynn was attempting to pressure the company into giving him part ownership of the company and the technology.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge.

Executed this 14th day of November, 2011, at Burbank Hills, CA.


EDRA BLIXSETH

NOTE: When using this form to indicate service of a proposed order, **DO NOT** list any person or entity in Category I.

Proposed orders do not generate an NEF because only orders that have been entered are placed on the CM/ECF docket.

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is: 21271 Burbank Blvd. Suite 100, Woodland Hills, CA 91367.

A true and correct copy of the foregoing document described as **Declaration of Edra Blixseth in support of Opposition to Motion for Summary Judgment** will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner indicated below:

I. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING ("NEF") – Pursuant to controlling General Order(s) and Local Bankruptcy Rule(s) ("LBR"), the foregoing document will be served by the court via NEF and hyperlink to the document. On **November 15, 2011**, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following person(s) are on the Electronic Mail Notice List to receive NEF transmission at the email address(es) indicated below:

Thomas M Geher, tmg@jmbm.com; Christopher Conant, cconant@conantlawyers.com
Jason M Rund, trustee@srlawyers.com, jrund@ecf.epiqsystems.com
United States Trustee (LA), ustpregion16.la.ecf@usdoj.gov

☐ Service information continued on attached page

II. SERVED BY U.S. MAIL OR OVERNIGHT MAIL (indicate method for each person or entity served): On **November 15, 2011**, I served the following person(s) and/or entity(ies) at the last known address(es) in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States Mail, first class, postage prepaid, and/or with an overnight mail service addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

Raphael O. Gomez [Regular Mail]	The Honorable Sheri Bluebond
U.S. Department of Justice	United States Bankruptcy Court
20 Massachusetts Av NW/PO Box 883	Edward R. Roybal Federal Building
Washington, DC 20044	255 E. Temple Street, Suite 1482
Counsel for Interested Party, U.S. Government	Los Angeles, CA 90012

☐ Service information continued on attached page

III. SERVED BY PERSONAL DELIVERY, FACSIMILE TRANSMISSION OR EMAIL (indicate method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on **November 15, 2011**, I served the following person(s) and/or entity(ies) by personal delivery, or (for those who consented in writing to such service method), by email as follows. Listing the judge here constitutes a declaration that personal delivery on the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

November 15, 2011

Steven R. Skirvin

/s/ Steven R. Skirvin

Date

Type Name

Signature